



JAMES A. NOYES, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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July 29, 2004

IN REPLY PLEASE
REFER TO FILE: **MP-6**
76.042

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

BENEDICT CHANNEL - PARCEL 68EX.11
SALE OF SURPLUS PROPERTY - CITY OF LOS ANGELES
SUPERVISORIAL DISTRICT 2
3 VOTES

**IT IS RECOMMENDED THAT YOUR BOARD ACTING AS THE GOVERNING BODY
OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:**

1. Find this transaction categorically exempt from the provisions of the California Environmental Quality Act (CEQA).
2. Declare the fee interest in Benedict Channel, Parcel 68EX.11 (3,010± square feet), located adjacent to the property at 9742 Kirkside Road, in the City of Los Angeles, to be no longer required for the purposes of the Los Angeles County Flood Control District.
3. Authorize the sale of Parcel 68EX.11 to the adjacent property owner, Gary Small, Trustee of the Gary Small 2000 Revocable Trust dated December 11, 2000, for \$30,100.
4. Instruct the Chairman to sign the enclosed Quitclaim Deed and authorize delivery to the Grantee.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

This action will allow the District to sell a parcel of the surplus property along Benedict Channel, Parcel 68EX.11, to the underlying fee owner, Gary Small, Trustee of the Gary Small 2000 Revocable Trust dated December 11, 2000.

The District acquired the fee title to Parcel 68EX.11 as part of the land needed for the Benedict Channel. Construction has been completed, and the subject parcel lies outside the required right of way. The adjacent property owner, who requested to purchase the property, is considered to be the logical purchaser.

Implementation of Strategic Plan Goals

This action is consistent with the Strategic Plan Goal of Fiscal Responsibility. The revenue from the sale will be used for flood control purposes. Furthermore, the sale will eliminate the need to maintain the property and reduce the District's expenses and liability.

FISCAL IMPACT/FINANCING

The proposed selling price of \$30,100 represents the appraised value. This amount has been paid and deposited into the Flood Control District's Fund.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

As required by California Government Code Section 65402(c), a notification of the proposed sale was submitted to the City of Los Angeles' Planning Department for its report as to conformance with the adopted General Plan. The Planning Department determined that the proposed sale conforms with its General Plan.

Parcel 68EX.11 is no longer needed for purposes of the District. The sale is not considered adverse to the District's purposes and will not hinder the use of the channel for possible transportation, utility, or recreational corridors. The Quitclaim Deed does not transfer rights to any oil, gas, petroleum, or other hydrocarbon and minerals. The enclosed Quitclaim Deed has been approved by County Counsel and will be recorded.

The Honorable Board of Supervisors
July 29, 2004
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ENVIRONMENTAL DOCUMENTATION

The sale of this property is categorically exempt from CEQA, as specified in Class 12 of the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, Synopsis 57, and Section 15312 of State CEQA Guidelines.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

None.

CONCLUSION

This action is in the District's interest. Enclosed are an original and two duplicates of the Quitclaim Deed. Please have the original and duplicates signed by the Chairman and acknowledged by the Executive Officer of the Board. Please return the executed original and one duplicate to this office, retaining one duplicate for your files.

One approved copy of this letter is requested.

Respectfully submitted,

JAMES A. NOYES
Director of Public Works

WDS:adg
P6\BENEDICT 68EX.11 BRD

Enc.

cc: Auditor-Controller (Accounting Division - Asset Management)
Chief Administrative Office
County Counsel

WHEN RECORDED
MAIL THIS DOCUMENT AND
TAX STATEMENT TO:

Mr. Gary Small
11282 Washington Boulevard, No. 204
Culver City, CA 90230

Space Above This Line Reserved for Recorder's Use

Documentary transfer tax is \$ _____
() computed on full value of property conveyed, or
() computed on full value less value of liens and
encumbrances remaining at time of sale

Assessor's Identification Number:
4307-013-904 (Portion)

LOS ANGELES COUNTY FLOOD CONTROL DISTRICT
By _____

QUITCLAIM DEED

For a valuable consideration, receipt of which is hereby acknowledged, the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, a body corporate and politic, does hereby remise, release and forever quitclaim to GARY SMALL, Trustee of the Gary Small 2000 Revocable Trust dated December 11th, 2000, all its right, title, and interest in and to the real property in The City of Los Angeles, County, of Los Angeles, State of California, described in Exhibit "A" attached hereto and by this reference made a part hereof.

EXCEPTING AND RESERVING all oil, gas, petroleum, and other hydrocarbons and minerals, but without right of entry to the surface of said land.

Dated _____

LOS ANGELES COUNTY FLOOD CONTROL DISTRICT,
a body corporate and politic

By _____
Chairman, Board of Supervisors of the
Los Angeles County Flood Control District

(LACFCD-SEAL)

ATTEST:

VIOLET VARONA-LUKENS, Executive Officer
of the Board of Supervisors
of the County of Los Angeles

BENEDICT CHANNEL 68EX.11
76-RW 4
S.D. 2 M0421017

OG:adg\p:CONF\qcd BENEDICT CH 68EX.11

By _____
Deputy

Note: Acknowledgment form on reverse side.

STATE OF CALIFORNIA)
) ss.

COUNTY OF LOS ANGELES)

On January 6, 1987, the Board of Supervisors for the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies, and authorities for which said Board so acts adopted a resolution pursuant to Section 25103 of the Government Code which authorized the use of facsimile signatures of the Chairman of the Board on all papers, documents, or instruments requiring his/her signature.

The undersigned hereby certifies that on this _____ day of _____, 20____, the facsimile signature of _____, Chairman of the Board of Supervisors of the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT was affixed hereto as the official execution of this document. The undersigned further certifies that on this date a copy of the document was delivered to the Chairman of the Board of Supervisors of the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT.

In witness whereof, I have also hereunto set my hand and affixed my official seal the day and year above written.

VIOLET VARONA-LUKENS, Executive Officer
of the Board of Supervisors
of the County of Los Angeles

By _____
Deputy

(LACFCD-SEAL)

APPROVED AS TO FORM:

OFFICE OF THE COUNTY COUNSEL

By _____
Deputy

APPROVED as to title and execution,
_____, 20____.
DEPARTMENT OF PUBLIC WORKS
Mapping & Property Management Division

MARTIN J. YOUNG
Supervising Title Examiner III

By _____

BENEDICT CHANNEL 68EX.11
76-RW 4
A.P.N. 4307-013-904 (portion)
T.G. 632(G4)
I.M. 129-157
Second District
M0421017

LEGAL DESCRIPTION

PARCEL NO. 68EX.11 (Quitclaim of a portion of fee):

Those portions of Lots 60 and 61, Tract No. 15382, as shown on map recorded in Book 421, pages 38 and 39, of Maps, in the office of the Recorder of the County of Los Angeles, within the following described boundaries:

Beginning at the southwesterly corner of Lot 9 of said tract; thence North 82°13'37" West along the westerly prolongation of the southerly line of said last mentioned lot, a distance of 25.26 feet; thence North 6° 26' 42" East 133.57 feet; thence North 3° 34' 20" East 4.01 feet to the westerly prolongation of the northerly line of said last mentioned lot; thence easterly along said last mentioned westerly prolongation to the northwesterly corner of said last mentioned lot; thence southerly along the westerly line of said last mentioned lot to the point of beginning.

Containing: 3,010± square feet.

EXHIBIT A